

REMARKS

Reconsideration and allowance of claims 1-8 are requested in view of the foregoing amendments and the following remarks.

The abstract of the disclosure is objected to for exceeding 150 words. In response to this objection, the abstract is amended to reduce its length to less than 150 words.

Claims 1-8 are rejected under 35 U.S.C. §102(a) as being anticipated by Kajita et al (JP 2002-339907). This rejection is traversed.

Claim 1 is amended to further define that the hydraulic drive system is provided with a communication control means for communicating a rod chamber of the first hydraulic cylinder and a bottom chamber of the second hydraulic cylinder with each other irrespective of the level of the pressure of a bottom chamber of the second hydraulic cylinder when a stroke of the second control device has increased to at least a predetermined amount. Support for this amendment is present in at least paragraphs [0036], [0043], [0049], [0055], [0059], [0062], [0066] and [0067] and FIGS. 1, 3 and 4 of Applicant's published application (US 2008/0223205).

By the structure defined in amended claim 1, that is, "said hydraulic drive system is provided with a communication control means for communicating a rod chamber of said first hydraulic cylinder and a bottom chamber of said second hydraulic cylinder with each other irrespective of a level of pressure of a bottom

bottom chamber of said second hydraulic cylinder when a stroke of said second control device has increased to at least a predetermined amount,” upon performing a combined operation by feeding oil pressure to the bottom chambers of the first hydraulic cylinder and a second hydraulic cylinder, respectively, the pressure oil in the rod chamber of the first hydraulic cylinder, which was conventionally drained into the reservoir, can be effectively used depending upon the stroke of the second control device, which controls the second hydraulic cylinder, irrespective of the level of the bottom pressure of the second hydraulic cylinder. Accordingly, in comparison with the conventional art, the hydraulic drive system of claim 1 is able to perform more work with effective use of pressure oil.

By contrast, Kajita discloses a communication control means for communicating a rod chamber of the first hydraulic cylinder and a bottom chamber of the second hydraulic cylinder with each other depending on a pressure of the bottom chamber of the second hydraulic cylinder and an operation-stroke of the control device. *See, e.g., paragraphs [0104] to [0114]; see also col. 19, lines 5-60, of Kajita’s corresponding U.S. Patent No. 6,898,932.* Specifically, the communication between the rod chamber of the first hydraulic cylinder (boom cylinder 6) and a bottom chamber of the second hydraulic cylinder (arm cylinder 7) depends on the pressure of the bottom chamber of the boom cylinder 6. Thus, Kajita does not disclose the above-described feature of amended claim 1.

Therefore, amended claim 1 is patentable over Kajita.

Claims 2-8 are patentable at least because of their dependence from amended claim 1.

Additionally, the other references listed on the Notice of References Cited also fail to disclose the above-described feature of claim 1.

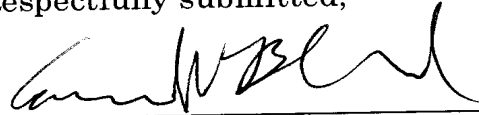
In view of the foregoing, Applicant submits that the application is on condition for allowance and such action is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323, Docket No. 080306.57350US.

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Respectfully submitted,



Jeffrey D. Sanok
Registration No. 32,169
Cameron W. Beddard
Registration No. 46,545

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
JDS:CWB:njr
dn#13359795_1